

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Amend claims 1 and 33.
2. Add new claims 38 and 40, dependent upon independent claims 1 and 33, respectively, and each including subject matter from the last six lines of allowed independent claim 21.
3. Add new claims 39 and 41, dependent upon independent claims 1 and 33, respectively, which specify that the interlayer insulating film contacts the light shielding film and the pixel electrode contacts the interlayer insulating film.
4. Thank the Examiner for the allowance of claims 21 and 25.
5. Respectfully traverse all prior art rejections (see Remarks Section B, *infra*).

#### **B. PATENTABILITY OF THE CLAIMS**

Claims 1, 4, 6, 8 and 20 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,259,200 to Morita et al in view of AAPA (page 1, line 8, to page 9, line 2 of the specification and Figs. 12 and 13). Claims 3, 5, 7 and 9 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,259,200 to Morita et al in view of AAPA (page 1, line 8, to page 9, line 2 of the specification and Figs. 12 and 13) and further in view of U.S. Patent 6,396,470 to Zhang et al. Claims 19, 33-34 and 36 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,259,200 to Morita et al in view of AAPA (page 1, line 8, to page 9, line 2 of the specification and Figs. 12 and 13) and further in view of U.S. Patent 5,446,562 to Sato.

Applicants' independent claims 1 and 33 both require that the light shielding film have an insulating property and the signal line. Further, independent claims 1 and 33 specify an arrangement in which, in view of a vertical direction with respect to a surface of the insulating substrate, the pixel electrode, the interlayer insulating film, the light-shielding film, and the signal line are provided in this order.

In contrast, it is absolutely essential for Morita's light-shielding film 5 to be a metal film, and it is impossible Morita's light-shielding film 5 to contact Morita signal line 10. Therefore, even if the alleged admitted prior art (AAPA) were to disclose a light-shielding film formed of an insulating film, and the stacking order ("in view of a vertical direction with respect to a surface of the insulating substrate, the pixel electrode, the interlayer insulating film, the light-shielding film, and the signal line are provided in this order"), the AAPA arrangement **cannot** be applied to, incorporated by, or combined with Morita.

For Morita it is absolutely essential that the Morita light-shielding film be made of the same material as the Morita gate line/wiring (see, e.g., Morita col. 8, lines 47 *et seq*). Formation of the Morita light-shielding film with an insulating film would be diametrically contrary to Morita's express teaching, and moreover would prevent Morita from attaining the effect of which Morita aims to obtain (see, e.g., col. 2, lines 61 to 65 of Morita).

Since the Morita light-shielding film 5 is clearly made of metal, Morita requires an insulating film (e.g., film 4) between the light-shielding film 5 and the signal line 10. With its metallic light shielding film, it is impossible for Morita to adopt an arrangement in which the Morita light-shielding film 5 is in contact with the signal line 10.

Moreover, Morita's light-shielding film 5 is provided below the signal line 10. This below-positioning of the film 5 requires an additional film, e.g., a flattening film 4 (insulating film), for compensating unevenness caused by the light-shielding film 5. This is yet another reason why it is impossible for Morita to adopt an arrangement in which the light-shielding film 5 is in contact with the signal line 10.

If, contrary to the requirements and teaching of Morita, the speculations of the office action were followed and the Morita light-shielding film 5 were made to have an insulating property, then the incorrectly modified Morita light-shielding film would also be required to have a much larger thickness in order to achieve a same light-shielding performance as a light-shielding film made of metal. This in turn would necessitate thickening the insulating film (e.g., film 4) provided between the light-shielding film 5 and the signal line 10. Since Morita's light-shielding film 5 is provided below the signal line 10, such an incorrectly modified (e.g., insulator, thickened) light-shielding film 5 would also require or cause formation of a greater level difference at a part where the light-shielding film 5 and the signal line 10 do not overlap each other. This greater disparity would increase the possibility of disconnection in the signal line 10. Therefore, it is not reasonable or practical to form Morita's light-shielding film 5 as an insulating film.

In view of the foregoing, Applicants have provided ample reasons for withdrawing the prior art rejections of independent claims 1 and 33. The dependent claims dependent upon these independent claims are allowable for the same reasons as advanced for their respective independent claims, so that the patentable merit of the dependent claims should not require separate elaboration.

**C. MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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